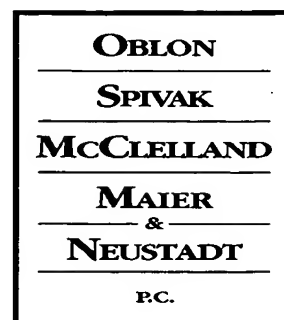


IFW



ATTORNEYS AT LAW

Docket No.: 257211US6X PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/511,271
Applicants: Tatsuya INOKUCHI, et al.
Filing Date: October 20, 2004
For: RECORDING MEDIUM, RECORDING METHOD,
RECORDING APPARATUS, REPRODUCING
METHOD, AND REPRODUCING APPARATUS
Group Art Unit: 2627
Examiner: CRYSTAL L. JONES

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 257211US6X PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TATSUYA INOKUCHI, ET AL. : EXAMINER: CRYSTAL L. JONES
SERIAL NO: 10/511,271 :
FILED: OCTOBER 20, 2004 : GROUP ART UNIT: 2627
FOR: RECORDING MEDIUM, :
RECORDING METHOD, RECORDING
APPARATUS, REPRODUCING METHOD,
AND REPRODUCING APPARATUS

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement stated in the Official Action dated April 13, 2006, Applicants in the above-identified patent application provisionally elect Group II, Claims 7-19, drawn to a recording apparatus, method of Figs. 1, 3 and 14.

The Restriction Requirement asserts that the application contains claims to distinct inventions. However, MPEP §803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be of an overlapping search area.

Accordingly, Applicants respectfully **traverse** the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

However, if the present Restriction Requirement is not withdrawn, examination on the merits of the Claims of Group II is believed to be in order, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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